

HOUSE BILL 2085

By White

AN ACT to amend Tennessee Code Annotated, Title 49,
Chapter 1; Title 49, Chapter 2 and Title 49,
Chapter 6, relative to open enrollment.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-2-128, is amended by deleting the section and substituting:

(a) Each LEA shall adopt and implement a policy that provides for an open-enrollment period during which a parent or guardian of a school age child may choose from a list of the LEA's schools with available space to enroll the child.

(b) The policy must:

(1) Establish a process for the LEA to identify the number of spaces available for enrollment in each of the LEA's schools by grade, class, and program levels. In determining available space at the class level, an LEA may use the class size averages specified in § 49-1-104; and

(2) Allow a parent or guardian to request a transfer by submitting an application to a school identified by the LEA as having space available to enroll and serve additional students.

(c) An LEA may reserve a reasonable number of enrollment spaces each school year from the number of spaces, if any, identified by the LEA as available for enrollment at a school within the LEA, to accommodate the potential enrollment of students who may relocate within the respective school zone; students who may have a sibling enrolled at the respective school; students who may have a parent who is employed at

the respective school; or for any other reason as outlined in the policy adopted by the LEA.

(d) If an LEA allows a child to transfer pursuant to the LEA's open-enrollment policy, then the child's parent or guardian is responsible for providing the child's transportation to the new school. A child who transfers pursuant to an LEA's open-enrollment policy must maintain satisfactory attendance, behavior, and effort to remain enrolled in the new school.

(e) If a school has academic admission requirements, then a child applying to transfer to the school pursuant to the LEA's open-enrollment policy must meet the school's academic requirements to enroll in the school.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it, and applies to the 2022-2023 school year and each school year thereafter.